

JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	NO. CR05-5381RBL
	)	
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
vs.	)	MOTION TO CONTINUE TRIAL
	)	DATE
MONTORY CALDWELL,	)	
	)	
Defendant.	)	
	)	

Based on the stipulated motion of the parties to continue the trial date, and the affidavit of defense counsel in support of the motion, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation of his defense. 18 U.S.C. § 3161(h)(8)(B)(iv).

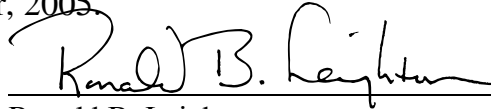
NOW, THEREFORE,

The period of delay resulting from this continuance from **September 19 2005 to December 5, 2005** is excluded for speedy trial computation purposes under 18 U.S.C. § 3161(h)(8)(A) and (B) as this is a reasonable period of delay.

ORDER GRANTING STIPULATED MOTION  
TO CONTINUE TRIAL DATE  
*U.S. v. Montory Caldwell*; CR05-5384RBL

1 IT IS HEREBY ORDERED that the trial date is continued from September 19,  
2 2005 to **December 5, 2005, at 9:30 am.** The Pretrial Conference is set for **November**  
3 **29, 2005 at 9:00 a.m.** Motions cutoff is continued to **October 17, 2005**

4  
5 DONE this 13th day of September, 2005.

6 

7 Ronald B. Leighton  
8 United States District Judge

9 Presented By:

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11  
12 /s/ Jerome Kuh  
13 Jerome Kuh  
14 Attorney for Defendant

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16  
17 /s/ David Jennings  
18 David Jennings  
19 Assistant United States Attorney